

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER RULE 53(b)

Pursuant to 37 CFR 1.53(b), please file a

☒ continuation/ ☐ divisional

of the pending prior PATENT APPLICATION of:

Inventor: Michael J. SHEA

Serial No. 09/382,684

Filed: August 25, 1999

For: **EXERCISE SYSTEM**

jc803 U.S. PTO



12/08/00

Atty Dkt.: EX-4C8

C# M#

Date: December 8, 2000

Group: 3733

Examiner: TBA

jc784 U.S. PTO
09/731655



12/08/00

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This request for filing under Rule 53(b) is made by the following named inventor(s) (using the above-identified title):

Inventor(s): Michael J. SHEA

☒ Attached are 57 pages of specification and claims (numbered 1-6), an Abstract (1 page), a declaration (2 pages) which is a copy from prior Application No. 08/842,113 (which is the parent of the above-referenced Application No. 09/382,684), and 16 pages of formal drawings (Figures 1-16).

☐ Priority is hereby claimed under 35 USC 119 based on the following foreign applications:

| <u>Application Number</u> | <u>Country</u> | <u>Day/Month/Year/Filed</u> |
|---------------------------|----------------|-----------------------------|
|---------------------------|----------------|-----------------------------|

☐ certified copy(ies) of foreign application(s) attached or

☐ already filed on _____ in prior appln. no. _____ filed _____

☐ already filed in _____ filed _____

☐ Please amend the specification by inserting before the first line: -- This application claims the benefit of U.S.

Provisional Application No. _____, filed _____.

☐ The prior application is assigned to _____.

☐ Power of Attorney has been granted to _____, Reg. No. _____ of _____.

☒ Address all future communications to: Michael J. Shea, 1726 Creek Crossing Road, Vienna, Virginia 22182.

☐ Please amend the specification by inserting before the first line --This is a _____ of application Serial No. _____, filed _____, --

☒ This application is entitled to "Small entity" status and a "Small entity" statement is of record. ☐ "Small entity"

statement attached.

☐ Petition filed in prior application to extend its life to insure copendency.

☒ The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner.

☒ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

☒ The entire disclosure of the prior application above-referenced is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

| | | |
|---|---------------------------|------------------|
| Basic Filing Fee..... | \$ | 710.00 |
| Total effective claims 32 - 20 (at least 20) = 12 x \$ 18.00 | \$ | 216.00 |
| Independent claims 2 - 3 (at least 3) = 0 x \$ 80.00 | \$ | 0.00 |
| If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)..... | \$ | 0.00 |
| | SUBTOTAL | \$ 926.00 |
| If "small entity," then enter half (1/2) of subtotal and subtract..... | -\$ | (463.00) |
| | SECOND SUBTOTAL | \$ 463.00 |
| Assignment Recording Fee (\$40.00) | \$ | 0.00 |
| | TOTAL FEE ENCLOSED | \$ 463.00 |

1726 Creek Crossing Road
Vienna, Virginia 22182

By: Michael J. Shea, Reg. No. 34,725

MJS:mjs

Signature: *Michael J. Shea*